

1 Heedong Chae (SBN 263237)

2 Email: [hdchae@ewpat.com](mailto:hdchae@ewpat.com)

3 Richard Kim (SBN 272184)

4 Email: [rkim@ewpat.com](mailto:rkim@ewpat.com)

5 **East West Law Group PC**

6 3600 Wilshire Blvd., Suite 702

7 Telephone: (213) 387-3630

8 Facsimile: (213) 788-3365

9  
10 *Attorneys for Plaintiff,*

11 *Spigen Korea Co., LTD.*

12  
13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA

15 SPIGEN KOREA CO., LTD., a  
16 Republic of Korea corporation,

17 Plaintiff,

18 v.

19 ISPEAK CO., LTD., a Republic of  
20 Korea corporation; VERUS U.S.A.,  
21 LLC, a California limited liability  
22 company; DOES 1 though 10, inclusive,

23 Defendants.

24 VERUS U.S.A., LLC, a California  
25 limited liability company,

26 Counter-Plaintiff,

27 v.

28 SPIGEN KOREA CO., LTD., a  
Republic of Korea corporation,

Counter-Defendant.

Case No.: 8:15-cv-01050 DOC (DFMx)  
Assigned to Hon. David O. Carter

**DECLARATION OF MATTHEW  
STEIN IN SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT**

**Hearing:**

Date: June 13, 2016

Time: 8:30 a.m.

Dept: 9D

Location: 411 West Fourth Street,  
Santa Ana, CA 92701

[The following documents filed  
concurrently: Memorandum of Points  
and Authorities; Separate Statement of  
Facts Not in Dispute; Declaration of  
Heedong Chae; Declaration of Dae  
Young Kim; [Proposed] Order]

1 I, Matthew I. Stein declare as follows:

2 1. I have been retained by Plaintiff and Counter-Defendant Spigen  
3 Korea Co., LTD (hereinafter, "Plaintiff" or "Spigen") as a technical expert  
4 in this matter to study and provide my opinions on certain issues related to  
5 U.S. Patent No. 9,049,283 B1 ("the '283 Patent" or "the patent-in-suit").

6 2. My extensive engineering background, comprising a Bachelor  
7 of Science in Mechanical Engineering from MIT, combined with more than  
8 35 years of direct experience with product design, qualifies me as an expert  
9 witness well skilled in the appropriate field of concern, and capable of  
10 expertly evaluating cell phone cases manufactured, designed, and/or  
11 distributed by Verus with respect to the asserted claims of the '283 patent.  
12 My design experience also includes working for such other well-known  
13 companies as Hewlett Packard, Plantronics, Seagate, Duraflame, Haws and  
14 IGT.

15 3. I have reviewed the '283 Patent, Verus Damda Slide cases (the  
16 "Accused Products") and many other materials and protective cases  
17 provided to me.

18 4. I have concluded that the Accused Products infringe on the  
19 '283 Patent.

20 5. My Opening Expert Report, dated April 26, 2016 describes in  
21 detail the Accused Products infringement on the '283 Patent . A true and  
22 correct copy of my Opening Expert Report is attached hereto as Exhibit Z-1.

23 6. I reviewed the Expert Report, by Oliver Seil dated April 28,  
24 2016 and the First Supplemental Expert Report by Oliver Seil dated May 2,  
25 2016, along with many other materials and protective cases provided to me.  
26 I have reviewed Mr. Seil's report, the Accused Products, the Patent, and the  
27 prior art references cited in Mr. Seil's Report and I have come to the  
28 conclusion that the '283 Patent is valid.

7. My Rebuttal Expert Report of Matthew I. Stein, P.E. Regarding Validity of Plaintiff's U.S. Patent No. 9,049,283, dated May 16, 2016 describes in detail my conclusions. A true and correct copy of my Rebuttal Expert Report of Matthew I. Stein, P.E. Regarding Validity of Plaintiff's U.S. Patent No. 9,049,283, dated May 16, 2016 is attached hereto as Exhibit Z-2.

I declare under penalty of perjury according to the laws of the State of California and the United States of America, that the foregoing is true and correct.

Executed this Monday, May 16, 2016 at Truckee, California

By:

Matthew Stein, Declarant